

01129/59289-MDC

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE,  
EASTERN DIVISION

FILED BY *4*  
05 MAY 25 AM 8:07  
ROBERT R. DI TROLIO  
CLERK OF U.S. DIST. CT  
W.D. OF TN-JACKSON

ODIS TUCKER, VONNIE TUCKER,  
BLAKE TUCKER and LAUREN TUCKER

Plaintiffs,

VS.

STATE OF TENNESSEE, its political subdivision,  
HARDIN COUNTY, and CITY OF SAVANNAH  
POLICE DEPARTMENT,

Defendants

CIVIL ACTION NO.  
1-05-1046T/An

JURY DEMANDED

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**RULE 16(b) SCHEDULING ORDER**

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Pursuant to the Scheduling Conference set by written notice, the following dates are  
established as the final dates for:

**INITIAL DISCLOSURES (Rule 26(a)(1)):** June 21, 2005

**JOINING PARTIES:**

For Plaintiff: August 8, 2005

For Defendants: September 8, 2005

**AMENDING PLEADINGS:**

For Plaintiff: August 8, 2005

For Defendant: September 8, 2005

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**COMPLETING ALL DISCOVERY:** January 13, 2006

(a) **Request for Production, Interrogatories, and Requests**

**for Admission:** January 13, 2006

(b) **Expert Disclosure (Rule 26(a)(2)):**

(i) Plaintiff's Experts: November 11, 2005

(ii) Defendant's Experts: December 12, 2005

(iii) Supplementation under Rule 26(e): December 22, 2005

(c) **DEPOSITIONS OF EXPERTS:** January 13, 2006

**FILING DISPOSITIVE MOTIONS:** February 15, 2006

**FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):**

(a) For Plaintiff: March 31, 2006

(b) For Defendant: April 14, 2006

Parties shall have ten (10) days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last three (3) days and is **SET for JURY TRIAL May 15, 2006, at 9:30 a.m.** A joint pretrial order is due on May 5, 2006. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the Court at least ten (10) days before trial.

**OTHER RELEVANT MATTERS:**

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the

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deadline for completion of discovery. For example, if the FRCP allows 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the Court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required. The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

***The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.***

This Order has been entered after consultation with trial counsel pursuant to Notice.

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Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.


**IT IS SO ORDERED.**

This the 24<sup>th</sup> day of May, 2005.

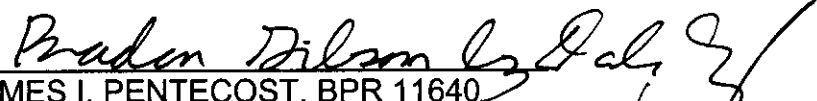
  
S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

**APPROVED FOR ENTRY:**


WILLIAM BROWN & ASSOCIATES

  
WILLIAM JACKSON BROWN, BPR 005450  
23 N. Ocoee Street  
P.O. Box 1001  
Cleveland, TN 37364-100  
Attorneys for Plaintiffs *in/permission.*

PENTECOST, GLENN & RUDD, PLLC

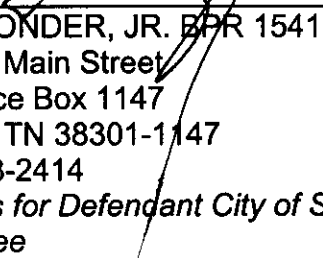
  
JAMES I. PENTECOST, BPR 11640  
BRANDON GIBSON, BPR 21485  
106 Stonebridge Blvd.  
Jackson, TN 38305  
Attorneys for Defendant Hardin County,  
Tennessee *in/permission*

STATE ATTORNEY GENERAL'S OFFICE

  
WILLIAM J. MARETT, BPR 007020  
P.O. Box 20207  
Nashville, TN 37202-0207  
Attorneys for Defendant State of Tennessee *in/permission*

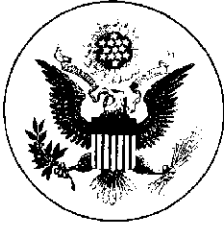
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RAINEY, KIZER, REVIERE & BELL, PLC



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DALE CONDER, JR. BPR 15419  
209 East Main Street  
Post Office Box 1147  
Jackson, TN 38301-1147  
(731) 423-2414  
*Attorneys for Defendant City of Savannah,  
Tennessee*



## Notice of Distribution

This notice confirms a copy of the document docketed as number 27 in case 1:05-CV-01046 was distributed by fax, mail, or direct printing on May 31, 2005 to the parties listed.

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John D. Burleson  
RAINEY KIZER REVIERE & BELL  
105 S. Highland Avenue  
Jackson, TN 38302--114

Milton Dale Conder  
RAINEY KIZER REVIERE & BELL  
105 S. Highland Ave.  
P.O. Box 1147  
Jackson, TN 38302--114

James I. Pentecost  
PENTECOST GLENN & RUDD, PLLC  
106 Stonebridge Blvd.  
Jackson, TN 38305

William J. Marett  
STATE ATTORNEY GENERAL'S OFFICE  
P.O. Box 20207  
Nashville, TN 37202--020

William Jackson Brown  
WILLIAM BROWN & ASSOCIATES  
23 N. Ocoee St.  
P.O. Box 1001  
Cleveland, TN 37364--100

John D. Stevens  
RAINEY KIZER REVIERE & BELL  
105 S. Highland Ave.  
P.O. Box 1147  
Jackson, TN 38302--114

Brandon O. Gibson  
PENTECOST GLENN & RUDD, PLLC  
106 Stonebridge Blvd.  
Jackson, TN 38305

Honorable James Todd  
US DISTRICT COURT